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SB 1434 RELATING TO AQUATIC RESOURCES

Senate Committee on Judiciary

Public Hearing - March 2, 1993
6:00 P.M., Room 504 SOT

By

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Robert Kinzie, Zoology
James Parrish, Hawaii Cooperative Fishery Research Unit

SB 1434 would prohibit the wild release of fish or other aquatic life held as pets or for scientific study, exhibition, display, sale, or any other purpose, and would authorize the DLNR to seize fish or other aquatic life which is prohibited under state law.

Our statement on this bill does not constitute an institutional position of the University of Hawaii.

Generally, our reviewers concur that this measure is long overdue. In fact, we offer the following suggestions to tighten and strengthen the measure:

1. Given the scope of the exotic invasion problem, the legislature might consider expanding the prohibition to include the discharge of reproductive products, disease vectors, and other biotic components of non-native aquatic microcosms.
2. It seems that the intent of the measure is to include species which are held in aquaculture confinement systems. If so, line 7, page 1 should be augmented to specify this intent.
3. Some provision for keeping discarded animals and/or aquarium water out of storm drains discharging to state waters should be indicated in line 9.
4. Is the intent of this bill to convey to the department authority to confiscate unpermitted aquatic life from private residences? If so, this should be reflected in lines 12 and 13.
5. It would not seem inappropriate to add some sanctions to conviction under this statute to address restoration costs which may be otherwise solely borne by the public.

Our reviewers also note that a potential problem may exist in the case of markets that sell live animals as food items. We suggest that a copy of the statute should be displayed prominently on such premises.

The severity of the problem of exotic species invasion of native ecosystems cannot be overstressed, and we are strongly in support of the intent of this measure.